

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Gary Hemry-Expiring CRP to Agricultural Land Classification
Proposed Implementation Date:	Summer 2012
Proponent:	Gary Hemry, PO Box 414, Brady, MT 59416
Location:	Lease #10221, ALL, Section 36, T28N, R2E
County:	Pondera
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

CRP contract #486C containing 502.60 acres expires on 9/30/2012. The lessee, Gary Hemry, has requested to break these expiring CRP acres. The CRP acres were not offered for re-enrollment. The tract was last farmed in 1998. The estimated acres that will be broke and returned to small grain production is 502.60 acres. The remaining 137.40 acres consists of native rangeland which will not be broke. The lessee plans to spray the CRP on July 1st and direct seed the proposed break area to winter wheat the fall of 2012. This will not result in a payment reduction for early outing the CRP.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

DNRC-Surface Owner
Gary Hemry-Lessee
Graham Taylor-MFWP
Montana Salinity Control Association
Montana Audubon Society

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny Gary Hemry permission to break the expiring CRP and return it to small grain production.

Alternative B (the Proposed action) – Grant Gary Hemry permission to break the expiring CRP and return it to small grain production.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

This tract consists of gently rolling topography. The below table outlines the soil types that will be broke.

Slope	Class	T-Factor	WEG	Estimated WW Yield	Acres	Section
0-4%	3E	5	6	41 bu/acre	79.20	36
0-4%	3E	5	6	43 bu/acre	52.90	36
4-8%	3E	5	6	40 bu/acre	189.80	36
2-8%	4E	5	4L	36 bu/acre	112.80	36
2-8%	4E	5	3	36 bu/acre	67.90	36
TOTAL	3E				321.90	
TOTAL	4E				180.70	
TOTAL	BREAK				502.60	

Class 3 soils have severe limitations that restrict the choice of plants and require special conservation practices. Class 4 soils have very severe limitations that restrict the choice of plants or that require very careful management, or both. The letter "e" shows that there is an erosion hazard unless close-growing plant cover is maintained. The class 3E soils have an expected yield of 40-43 bu/acre for winter wheat are susceptible to wind and water erosion. The class 4E soils have an expected yield of 36 bu/acre and are susceptible to wind and water erosion. One of the class 4E soils has a WEG of 3 which is lower than the required rating of 4. Any erosion concerns will be mitigated due to the residue produced not being destroyed by the utilization of no-till farming practices. Clearly, the majority of the soils on this tract meet DNRC's land break requirements.

The last noted practice type was CP-1 which is for introduced grasses and legumes. The reason for initial enrollment in CRP is for increased revenue and due to the lessee not wanting to pay a higher crop share due to the lease being competitively bid.

Jane Holzer, Montana Salinity Control Association commented, "Based on no previous MSCA experience for this specific site but looking at aerial photos, there does not appear to be any current saline problems in State Lease #10221 Section 36 T28N R2E or in adjoining sections." (See attached E-mail).

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

There are no documented and/or recorded water rights associated with the tract. Other water quality and/or quantity issues will not be impacted by the proposed action.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No cumulative effects to air quality are anticipated.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The existing vegetation is introduced species consisting of primarily Russian Wild rye, alfalfa, and tall, slender, and pubescent wheatgrass. Also there are areas of crested wheatgrass, smooth brome grass, and Cheat grass. The tract was last farmed in 1998. The vegetative community will be altered by the reclassification. The conversion of CRP to small grain production will increase the overall productivity of the tract as the current grass stand has very low vigor.

A review of Natural Heritage data through the NRIS was conducted and there were no plant species of concern noted or potential species of concern noted on the NRIS survey.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

Graham Taylor, Regional Wildlife Manager-FWP, commented, "Have reviewed the Break Request for lease 10221 and offer the following comments in addition to previous correspondence related to the wildlife values of existing CRP on State Trust Lands in north central Montana. Please consider those previous comments as attendant to this comment on the break request.

This lease represents excellent upland bird and deer habitat as it is associated with Pondera Coulee. In the interest of retaining some measure of functional wildlife habitat (a break of these 502 acres represents total loss of same), DNRC apply more protective management stipulations on the remaining 137 acres of native rangeland contained within section 36 as they surround Pondera Coulee. Not knowing the current grazing prescription on these 137 acres put me at a disadvantage, but I suggest that functional rest from grazing of these acres 2 out of every 3 growing seasons (let's say May 1 thru September 15) would help mitigate the total loss of the existing CRP. Off season grazing should also be considered and managed to retain the riparian values of the vegetation/habitat. These 137 acres as a block could provide some valuable wildlife habitat – especially upland bird nesting and brood rearing – if residual and ungrazed vegetation is made available on a timely basis as I suggest above.

With suitable mitigation measures as described, FWP would offer no objection to the break of these 502 acres. Without concomitant protection of the 137 native rangeland acres, such a break is not supported." See attached E-mail.

These concerns will be mitigated as the proposed action will remove the permanent vegetative cover, but the residue produced in small grains production will still provide limited cover and food for the area wildlife. Also further mitigation will be provided as the 137.00 acres of native rangeland is currently unused for grazing and the lessee has no future plans to graze the native rangeland.

Converting existing CRP acres to agricultural land will decrease wildlife thermal and hiding cover. This reduction of cover may adversely impact various wildlife species including songbirds, upland game birds, waterfowl, antelope, white tailed deer, and mule deer. Agricultural land may provide a limited food source for wildlife species including deer, antelope, upland game birds and migrating waterfowl. No comments were received from the Montana Audubon Society.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

There are no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed project area. Montana FWP did provide site specific comments regarding wildlife, (see item #8). At this time, no known unique, endangered, fragile or limited environmental resources have been identified within the proposed project area. The project is a 502.60 acre CRP tract, which is only a very small portion of the total CRP acres held within Pondera County.

A review of Natural Heritage data through the NRIS was conducted. There was zero animal species of concern and zero potential species of concern noted on the NRIS survey.

With the use of the USDA-NRCS Conservation Plan, minimum cumulative effects are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

Patrick Rennie, DNRC archaeologist, was contacted and he stated that due to the tract being previously farmed, no historical, archaeological, or paleontological resources would be present.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Since the field is currently in CRP and the surrounding tracts are all farmed, CRP, or grazing, reclassification as agricultural land will not affect the aesthetics of the area.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed project.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other projects or plans being considered on the tract listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION
<ul style="list-style-type: none">• RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.• Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.• Enter "NONE" if no impacts are identified or the resource is not present.

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

The proposed project will not change human safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The reclassification of this to agricultural land will increase the vegetative productivity of this tract. The estimated WW yield is 36-43 bu/acre so the average estimated yield is 39 bu/acre. $39 \text{ bu/acre} \times \$4.92/\text{bu} \times 25\% = \$47.97/\text{acre}$ divided by 2 for 50/50 crop fallow equals \$23.99/acre. The current CRP payment is \$48.95/acre at a 44.90% share, but will not be sustained due to the contract expiring. The Common Schools trust would see an estimated return increase of \$2.01/ac. In addition, the Common Schools trust will receive 25% of the FSA Direct Contract Payment (DCP).

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will not significantly affect long-term employment in the surrounding communities.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will increase the tax revenue due to the increased revenue generated in small grain production.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.

There will be no direct or cumulative effects on government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

This tract of state land is rural and generally has low recreational value. This tract is legally accessible and the proposed action is not expected to impact general recreational and wilderness activities on this state tract.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed action will not impact the cultural uniqueness or diversity of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The proposed conversion of CRP to agricultural land will greatly improve the productivity on the tract and increase the return to the trust. The current CRP stand has lost its vigor and has very low productivity. This tract was not offered for renewal of the CRP contract due to its relatively high productivity. Therefore, converting this acreage to small grain production will provide the Common Schools trust with an estimated return of \$23.99/acre. This is based on the expected 39 bu/acre yield, the 10 year average selling price of \$4.92/bu, and a 50/50 crop/chemical fallow rotation. No other unique circumstances exist.

EA Checklist Prepared By:	Name: Tony Nickol	Date: April 17, 2012
	Title: Land Use Specialist, Conrad Unit, Central Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant Gary Hemry permission to break the expired CRP and return it to small grain production.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

This tract of state land is adjacent to productive crop land. All acres meet current Departmental breaking policy, which indicate that soils are suitable for small grain production under no till farming practices. The lessees must work with FSA and NRCS and obtain a Conservation Plan and comply with all sod busting regulations. Breaking these acres will help meet TLMD objectives by increasing revenue to the school trust. An average of 39 bu/acre winter wheat or near \$24.00 per acre annual return is expected for this acreage. Significant negative impacts are not expected with this 502.6acre land break.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

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EIS

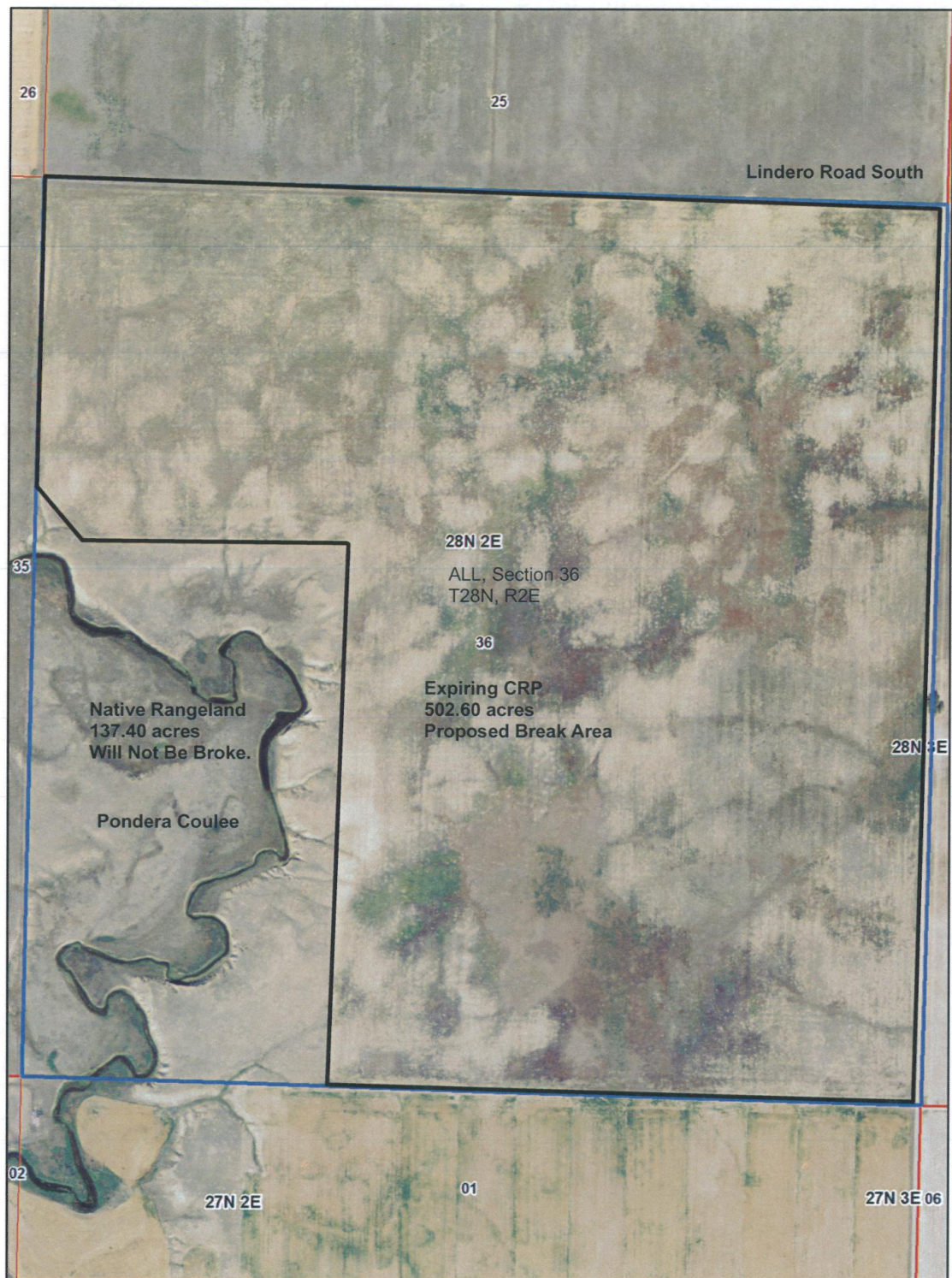
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More Detailed EA

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No Further Analysis

EA Checklist Approved By:	Name: Erik Eneboe
	Title: Conrad Unit Manager, CLO, DNRC
Signature: 	
Date: May 2, 2012	



Nickol, Tony

From: Taylor, Graham
Sent: Friday, April 06, 2012 9:14 AM
To: Nickol, Tony
Subject: Break Request lease #10221

Tony,

Have reviewed the Break Request for lease 10221 and offer the following comments in addition to previous correspondence related to the wildlife values of existing CRP on State Trust Lands in north central Montana. Please consider those previous comments as attendant to this comment on the break request.

This lease represents excellent upland bird and deer habitat as it is associated with Pondera Coulee. In the interest of retaining some measure of functional wildlife habitat (a break of these 502 acres represents total loss of same), DNRC apply more protective management stipulations on the remaining 137 acres of native rangeland contained within section 36 as they surround Pondera Coulee. Not knowing the current grazing prescription on these 137 acres put me at a disadvantage, but I suggest that functional rest from grazing of these acres 2 out of every 3 growing seasons (let's say May 1 thru September 15) would help mitigate the total loss of the existing CRP. Off season grazing should also be considered and managed to retain the riparian values of the vegetation/habitat. These 137 acres as a block could provide some valuable wildlife habitat – especially upland bird nesting and brood rearing – if residual and ungrazed vegetation is made available on a timely basis as I suggest above.

With suitable mitigation measures as described, FWP would offer no objection to the break of these 502 acres. Without concomitant protection of the 137 native rangeland acres, such a break is not supported.

*Graham Taylor
Regional Wildlife Manager
Montana Fish Wildlife and Parks
4600 Giant Springs Road
Great Falls, MT 59404
406-454-5840
gtaylor@mt.gov*

Nickol, Tony

From: Jane Holzer [msca@3rivers.net]
Sent: Monday, April 09, 2012 4:01 PM
To: Nickol, Tony
Subject: CRP breaking - Pondera co

Tony

Based on no previous MSCA experience for this specific site but looking at aerial photos, there does not appear to be any current saline problems in State Lease #10221 Section 36 T28N R2E or in adjoining sections.

Jane Holzer
Program Director
Montana Salinity Control Association
PO Box 909
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